

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Reissue Application of:  
U.S. Patent No. 5,750,338

Mark L. Collins *et al.*

Reissue Serial No. 09/533,906

Reissue Application Filed: March 8, 2000

For: TARGET AND BACKGROUND  
CAPTURE METHODS WITH  
AMPLIFICATION FOR AFFINITY  
ASSAYS

Group Art Unit: 1655

Examiner: D. Johannsen

**PROOF OF SERVICE**

**ATTENTION: REISSUE LITIGATION BOX 7**

Commissioner for Patents  
Washington, D.C. 20231

I, Kevin R. Spivak, do hereby declare as follows:

1. I am over the age of eighteen years, and not a party to this proceeding.
2. My business address is 2001 Pennsylvania Avenue, NW, Washington D.C.

20006-1888.

3. On February 15, 2002, I served the following documents in the manner described

in Paragraph 4:

PROTEST UNDER 37 C.F.R. §1.291 – 20 pgs.

INFORMATION DISCLOSURE STATEMENT – 6 pgs.;

FORM PTO/SB/08 – 2 pg.;

ELEVEN (11) REFERENCES; and

COPY OF RETURN/PREPAID POSTCARD TO PTO.

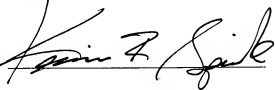
4. On February 15, 2002, I served the documents listed in Paragraph 3 by placing a copy of each of the documents in an envelope, sealing the envelope, and, with postage fully prepaid, placing the envelope for deposit with the United States Postal Service on the same day, at my business address shown above, following ordinary business practices, addressed to:

Jean Burke Fordis, Reg. No. 32,984  
Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P.  
Suite 700  
1300 I Street, N.W.  
Washington, D.C. 20005-3315

I hereby declare under the laws of the United States of America that all statements made herein are true of my own knowledge and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code.

Executed at Washington, D.C. on February 15, 2002.

By:



Printed Name: Kevin R. Spivak